

ADDENDUM - INITIAL STATEMENT OF REASONS
Commission Regulation 1005
Minimum Standards for Training – Basic Course Waiver Application

At the June 21, 2018, meeting, the Commission approved the proposed amendment to the Regulation Section 1005 – Minimum Standards for Training.

POST is proposing a regulatory amendment to Regulation 1005 and the document BCW Application (POST 2-267) incorporated by reference. The revision would update the application to include: updating language to be consistent with current regulation, adding electronic payment, and increasing the application fee to include an expedite fee.

Justification – Regulation 1005

Revising Commission Regulation 1005, Minimum Standards for Training by updating the document Basic Course Waiver Application to reflect regulatory changes made April 1, 2018 and increasing the application fee. The current fee of \$75 was established in 1981 when the Basic Course Waiver process was implemented. The application and evaluation fee includes application processing, staff evaluation of equivalent documentation, staff time and materials costs required to correspond with the individuals and agencies through the process, staff time involved in processing the fee, and administrative/supervisory time required for review and approval. Since 1981 the cost of processing an application has increased significantly. For that reason, POST is proposing the fee increase from \$75 to \$250.

At the Commission meeting held on June 21, 2018, in West Sacramento, the Commission approved the proposed changes to the Basic Course Waiver Application, which included raising the fee from \$75.00 to \$250.00 and adding electronic payment as a payment option. The justification for the for the \$250 evaluation fee is based on the hourly pay rate for the current evaluation staff which includes a Staff Services Analyst and a Senior Law Enforcement Consultant, as of 2018 pay rates. The average time to process a Basic Course Waiver package, from start to finish, is approximately seven hours. The application evaluation fee includes:

Staff time for application processing and evaluation of equivalent documentation- 7 hours x \$30.00 = \$210.00. Materials and correspondence costs- \$5.00. Staff time involved in processing the fee- 0.25 hours X \$30.00 = \$7.50. Administrative/supervisory time required for review and approval- 0.5 hours X \$55.00 = \$27.50. Total Cost: \$250.00

Staff are required to compare the following out-of-state law enforcement training through evaluating course outlines, schedules, syllabi, and college transcripts to meet current California basic academy hourly training requirements and legislative mandates:

- 200-hour general law enforcement basic training
- In-Service training
- Other law enforcement courses
- College/University General law enforcement related courses

POST added electronic payment as an additional option for applicants to pay for the evaluation fee. Currently, only a money order or certified bank check is accepted. POST is in the process of setting up a program to allow for the acceptance of electronic payments. By providing this option, it will increase efficiency in the processing of payments and make it easier for applicants to submit the correct form of payment.

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POST is requiring the evaluation fee to be non-refundable due to the time and effort it takes for staff to conduct an evaluation and create individual correspondence to each applicant regardless of the applicant completing the process.

In April 2018, Regulation 1005 replaced Commission Procedure D-11. Formerly, Procedure D-11-4(c)(1)(A) contained language that allowed California Reserve Module A, B, and C courses to be used for minimum 200-hour general law enforcement basic training. Regulation 1005 has eliminated the California Reserve Module A, B, and C courses as qualifying training. Commission Procedure D-11 was incorporated by reference into Regulation 1005. As of April 2018, the language in Procedure D-11 was moved into Regulation 1005 and POST removed the incorporated language. Procedure D-11 has been removed. Refer to OAL rulemaking file number 2018-0116-04.

On page 2 step 3 the phrase “RBC curriculum” was added to clarify the POST certified curriculum.

People with Disabilities is a legislative mandate. In 2015, Penal Code 13515.26(d) was added by statute, Chapter 468, and mandates 15 hours of course instruction. The number of hours required for this subject is being changed from “4” to “15” to be current with this mandate.